

Texas RSA **15B2** Limited Partnership d/b/a Five Star Wireless
955 Water Street
Kerrville, Texas 78029

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 – 12th Street, S.W.
Washington, D.C. 20554

Re: CC Docket No. **94-102**,
95% ALI-Capable Handset Penetration Requirement,
Rule Section **20.18(g)(1)(v)**.

Fifth Quarterly Report

Dear Ms. Dortch:

By **Order** (CC Docket No. **94-102**), FCC **06-32**, released March **15, 2006** (the "**Order**"), the Commission granted the Filer, Texas RSA **15B2** Limited Partnership d/b/a Five Star Wireless, an extension of time, up to and including March **15, 2007**, within which to comply with the Rule Section 20.18(g)(1)(v) requirement that it achieve a **95%** penetration level among its subscribers of ALI-capable handsets. The Filer has elected to deploy a handset-based **E-911** solution. On March **15, 2007**, the Filer filed a second petition requesting a December **31, 2007** compliance deadline, which remains pending before the Commission.

This report is submitted pursuant to the requirements of Paragraph No. **20** of the **Order**, and is as follows:

Item **1**: The number and status of **E-911** Phase II requests from Public Safety Answering Points ("PSAPs"), including those requests that the Filer may consider invalid: The Filer has not received any PSAP requests for **E-911** Phase II service.

Item **2**: The dates on which **E-911** Phase II service has been implemented or will be available to the PSAPs served by the Filer's system: **E-911** Phase II service has not been implemented on the Filer's system. In accordance with Commission requirements, **E-911** Phase II service will be implemented within six months following receipt of a valid PSAP request.

Item **3**: The status of the Filer's coordination efforts with PSAPs for alternative **95%** ALI-capable handset penetration dates: The Filer is in regular contact with the PSAPs in its service area by means of e-mail and scheduled meetings which address the status of Phase II progress. The Filer has notified the PSAPs of the Filer's current distribution efforts for ALI-capable handsets.

Item 4: The Filer's efforts to encourage customers to upgrade to ALI-capable handsets: The Filer has a system-wide advertising campaign offering new service plans at prices competitive with those of the national carriers. These new service plans require customer use of a Code Division Multiple Access ("CDMA") air interface ALI-capable handset. With a minimum duration service contract, one model of an ALI-capable handset has been provided without charge. As discussed in the next paragraph, this offering has been revised to eliminate the requirement of a minimum duration service contract for existing customers upgrading to a new, ALI-capable handset. Since June of 2006, the Filer has been using (and will continue to use) bill inserts to encourage customers with non-ALI-capable Time Division Multiple Access ("TDMA") handsets to trade them in for ALI-capable CDMA handsets. In addition, the Filer had a promotion offering a free Kyocera Model KX16 CDMA ALI-capable handset to all new and renewal subscribers who donate one can of food to a food bank, a promotion which has now been discontinued.

The Filer has advertised (and will continue to advertise) the need to replace non-ALI-capable handsets in bill inserts (as noted above), telephone calls to customers, newspaper advertisements, and radio broadcast and cable television advertisements; and will continue with, and expand the scope of, its promotional offerings designed to persuade its existing customers to switch to ALI-capable handsets. Earlier this year, the Filer hired an additional person whose sole job is to call each and every customer (repeatedly, if necessary) with a non-ALI-capable handset to persuade them to obtain an ALI-capable one. These customers are given a new, ALI-capable handset free of charge, and no minimum duration service contract is required.

As discussed in the "Petition for Temporary Waiver or Temporary Stay," filed December 14, 2005, which forms the basis for the relief granted in the Order, the Filer's TDMA system has been overbuilt with a replacement CDMA system. The CDMA facilities are E-911 Phase II capable, while the TDMA facilities (which are to be phased out) are not E-911 Phase II capable.

Item 5: The percentage of the Filer's customers with ALI-capable phones: 90.1%.

Item 6: Until the Filer satisfies the 95% penetration requirement, detailed information on the Filer's status in achieving compliance, and whether the Filer is on schedule to meet the revised, March 15, 2007, deadline: All new customers and existing customers who renew their service arrangements are required to obtain an ALI-

capable handset. Given the progress made to date, the Filer anticipates that it will achieve compliance with the 95% ALI-capable handset penetration requirement by December 31, 2007.

Very truly yours,

**Texas RSA 15B2 Limited
Partnership d/b/a Five Star
Wireless**

Dated:

4/30/07

By:



W.G. (Bill) Stacy, III
General Manager

In accordance with Rule Section 1.12, please refer any inquiries or correspondence to:

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